

ORDINANCE NO. 2017-17

AN ORDINANCE of the City of Bainbridge Island, Washington, relating to critical areas, repealing Chapter 16.20, and adopting an updated Chapter 16.20 of the Bainbridge Island Municipal Code.

WHEREAS, the City of Bainbridge Island (“City”) is required by the Growth Management Act (“GMA”) (see, e.g., RCW 36.70A.130) to conduct a periodic legislative review and update of its comprehensive plan and development regulations to ensure consistency with updated state laws and population and employment projections; and

WHEREAS, June 30, 2017, was the deadline to update to the City’s Critical Areas Ordinance; and

WHEREAS, the City notified the Washington State Department of Commerce that although the City had been making progress on the review and update of its Comprehensive Plan, it would not meet the June 30, 2017, deadline; and

WHEREAS, the Department of Commerce accepted the City’s delayed action, requesting to be kept abreast of the City’s progress; and

WHEREAS, on April 27, May 5, 11, 18, and 25, and on June 1, 8, 15, 19, and 22 the Planning Commission discussed the Critical Areas Ordinance Update; and

WHEREAS, each of the 10 Planning Commission meetings included an opportunity for public comment on the 2017 Critical Areas Ordinance Update; and

WHEREAS, the Planning Commission conducted a public hearing on the Critical Areas Ordinance Update contained in this Ordinance No. 2017-17 on June 26, 2017; and

WHEREAS, the City notified the Department of Commerce on June 30, 2017, of its intent to revise its development regulations relating to critical areas; and

WHEREAS, the City issued a State Environmental Policy Act (“SEPA”) Determination of Non-Significance for Ordinance No. 2017-17 on July 21, 2017; and

WHEREAS, the City Council reviewed and considered the 2017 Critical Areas Ordinance Update at regularly scheduled meetings on August 2, 8, and 22, and September 5, 12, and 19, 2017; and

WHEREAS, each of the six City Council meetings included an opportunity for public comment on the 2017 Critical Areas Ordinance Update; and

WHEREAS, the City provided for continuous public participation in the update process through, for example, notification of public meetings and public hearings, maintenance of a project page on the City’s website, notification through the City

Manager's Report, maintenance of a project email listserv, and development of informational materials available throughout the update process; and

WHEREAS, the City Council conducted a public hearing on Ordinance No. 2017-17 on October 3, 2017 and continued the public hearing until November 14, 2017; and

WHEREAS, the City Council considered and discussed revisions to Ordinance No. 2017-17 at regularly scheduled meetings on October 17 and 24, 2017; and

WHEREAS, there has been a substantial public comment period for the 2017 Critical Areas Ordinance Update, beginning on August 2, 2017, and continuing to the closure of the written comment period on November 20, 2017; and

WHEREAS, the City Council has determined that it is necessary to repeal Chapter 16.20 of the Bainbridge Island Municipal Code ("BIMC") and replace it with an updated Chapter 16.20 BIMC, the Critical Areas Ordinance; and

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF BAINBRIDGE ISLAND, WASHINGTON, DOES ORDAIN, AS FOLLOWS:

Section 1. Chapter 16.20 BIMC is hereby repealed.

Section 2. An updated Chapter 16.20 BIMC is hereby adopted, as shown in Exhibit A.

Section 3. This ordinance shall take effect and be in force on March 1, January 1, 2018, after its passage and publication as required by law.

PASSED by the City Council this XXX day of XXX, 2017.

APPROVED by the Mayor this XXX day of XXX, 2017.

Val Tollefson, Mayor

ATTEST/AUTHENTICATE:

Christine Brown, City Clerk

FILED WITH THE CITY CLERK:	August 2, 2017
PASSED BY THE CITY COUNCIL:	_____ 2017
PUBLISHED:	_____ 2017
EFFECTIVE DATE:	March 1, 2018
ORDINANCE NUMBER:	2017-17